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| FORM PTO-1390 US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE<br>(REV. 01-2003)  |   | ATTORNEY'S DOCKET NUMBER<br>123391  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>         DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>         CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |   | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>New U.S. National Stage of PCT/JP03/014087<br><div style="font-size: 1.5em; font-weight: bold; margin-top: 5px;">10/532246</div> |
| INTERNATIONAL APPLICATION NO.<br>PCT/JP03/014087   | INTERNATIONAL FILING DATE<br>November 5, 2003 | PRIORITY DATE CLAIMED<br>November 7, 2002   |
| TITLE OF INVENTION<br>BIOSIGNAL INTENSITY MEASURING METHOD, BEDDING STATE JUDGING METHOD, AND BEDDING STATE MONITORING DEVICE  |   |   |
| APPLICANT FOR DO/EO/US<br>Shin NEMOTO  |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |   |   |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> <li>c. <input type="checkbox"/> The International Application was filed in English.</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |   |   |
| <b>Items 11 to 20 below concern document(s) or information included:</b>   |   |   |
| <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input checked="" type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: Transmittal of Power of Attorney and Statement</li> </ol>   |   |   |

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| U.S. APPLICATION NO. <b>10/532246</b><br>New U.S. National Stage of<br>PCT/JP03/014087   |              | INTERNATIONAL APPLICATION NO.<br>PCT/JP03/014087 |   | ATTORNEY'S DOCKET NUMBER<br>123391 |    |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:  |              |  |   | <b>CALCULATIONS</b> PTO USE ONLY   |    |
| <b>BASIC NATIONAL FEE (37 CFR 1.492(a)):</b> ..... \$ <b>300.00</b>  |              |  |   | \$300.00                           |    |
| <b>SEARCH FEE (37 CFR 1.492(b)(1)-(3)):</b>  |              |  |   | \$400.00                           |    |
| International search fee (37 CFR 1.445(a)(2)) paid to USPTO as ISA ..... \$ <b>100.00</b>  |              |  |   |                                    |    |
| International search report provided to USPTO no later than the time at which<br>the search fee is paid ..... \$ <b>400.00</b>   |              |  |   |                                    |    |
| All situations not provided for above ..... \$ <b>500.00</b>   |              |  |   |                                    |    |
| <b>EXAMINATION FEE (37 CFR 1.492(c)(1)-(2)):</b>   |              |  |   | \$200.00                           |    |
| International preliminary examination report prepared by the USPTO as<br>IPEA and favorable as to novelty, inventive step, and industrial applicability<br>for all claims presented in the application entering the national stage ..... \$ <b>100.00</b>  |              |  |   |                                    |    |
| All situations not provided for above ..... \$ <b>200.00</b>   |              |  |   |                                    |    |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the<br>earliest claimed priority date (37 CFR 1.492(e)).   |              |  |   | \$                                 |    |
| TOTAL PAGES OF<br>APPLICATION OVER<br>100 (0 - 100)  | 0 ÷ 50       | = 10   | x 250 =   | \$0                                |    |
| †round up to next integer  |              |  |   |                                    |    |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA                                     | RATE  | \$                                 |    |
| TOTAL CLAIMS   | 15- 20       | = 0  | x 50.00 =   | \$0                                |    |
| INDEPENDENT CLAIMS   | 3 3          | = 0  | x 200.00 =  | \$0                                |    |
| MULTIPLE DEPENDENT CLAIM(S)(if applicable)   |              |  | + 360.00 =  | \$                                 |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |  |   | \$900.00                           |    |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are<br>reduced by 1/2.   |              |  |   | \$450.00                           |    |
| <b>SUBTOTAL =</b>  |              |  |   | \$450.00                           |    |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from<br>the earliest claimed priority date (37 CFR 1.492(f)).  |              |  |   | \$                                 |    |
| <b>TOTAL NATIONAL FEE =</b>  |              |  |   | \$450.00                           |    |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be<br>accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +   |              |  |   | \$                                 |    |
| <b>TOTAL FEES ENCLOSED =</b>   |              |  |   | \$450.00                           |    |
|  |              |  |   | Amount to be<br>refunded:          | \$ |
|  |              |  |   | charged:                           | \$ |
| a. <input checked="" type="checkbox"/> Check No. <u>165988</u> in the amount of <b>\$450.00</b> to cover the above fees is enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this<br>sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to<br>Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card</b><br><b>information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038. |              |  |   |                                    |    |
| <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.487(a) or (b))<br>must be filed and granted to restore the application to pending status.   |              |  |   |                                    |    |
| SEND ALL CORRESPONDENCE TO:<br>OLIFF & BERRIDGE, PLC<br>Customer Number: 25944   |              |  |   |                                    |    |
| Date <u>April 22, 2005</u>   |              |  | NAME: James A. Oliff<br>REGISTRATION NUMBER: 27,075   |                                    |    |
|  |              |  | NAME: Robert A. Miller<br>REGISTRATION NUMBER: 32,771 |                                    |    |